IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 532 (SS) of 2007

Neeru Giri,
W/o Sri Durgesh Giri,
Lady Constable 345 CP
P.S. – Kashipur,
District –Udham Singh Nagar. **.....Petitioner.**

Versus

1. Union of India through Secretary, Ministry of Home Affairs, New Delhi.
2. State of Uttarakhand through Principal Secretary, Home Affairs, Dehradun.
3. State of U.P. through Principal Secretary, Home Affairs, Lucknow.
4. State of Advisory Committee and Principal Secretary, Uttar Pradesh Reorganization, Coordination Department, Government of U.P.
5. Senior Superintendent of Police, District – Udham Singh Nagar.

.....Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri S.C. Bhatt, learned counsel for the petitioner, Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand on behalf of respondents 2 and 5, Sri Vikas Pandey, learned counsel standing for Union of India on behalf of respondents no. 1 and Smt. Been Pande, learned standing counsel for State of Uttar Pradesh on behalf of respondent nos. 3 and 4.

By means of this writ petition, the petitioner has prayed for the following relief:

a. *Issue a writ, order or direction in the nature of Certiorari quashing the whole proceeding being conducted by the respondents in pursuance of the notice / order dated*

11.05.2007 (annexure 6 to this writ petition) passed by the respondent no. 5.

b. *Issue any other writ, order or direction in the nature of Mandamus directing the respondents not to relieve the petitioner from State of Uttarakhand to State of U.P. which this Hon'ble Court may deem fit and proper in the circumstances of the case.*

c. *Allow the writ petition award costs of it in favour of the petitioner.*

Petitioner, who is working as Constable in P.S -. Kashipur, District – Udham Singh Nagar, has challenged the order dated 11.05.2007 by which police personnel of district – Udham Singh Nagar, who had opted for State of U.P., and finally allocated by Union of India for State of U.P., have been directed to be relieved for State of U.P.

It is not disputed that petitioner is permanent resident of State of U.P., she had opted for State of U.P. and has been finally allocated to State of U.P. by Union of India

It is also not disputed that petitioner has not moved any application for mutual transfer in pursuance to the circular issued by Union of India.

In these circumstances, I do no find any ground to interfere with the impugned order. Writ petition lacks merit, and as such, is dismissed *in limine*. Interim relief application is rejected accordingly. No order as to costs.

(M.M. Ghildiyal, J)

May 17, 2007
SKSHARAMA